

REMARKS

The oath or declaration was deemed to be defective, and thus, a new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing has been included with this response.

The disclosure was objected to because of several informalities. Applicant has corrected the error noted, and attempted to correct any others, as represented in the attached substitute specification. No new matter has been entered.

Claim 1 was objected to because of the phrase “a first and second end” where “end” is not plural. In response, claim 1 has been amended to read “ends” rather than “end”.

Claim 1 was rejected under 35 USC 103 (a) as being unpatentable over Orr, Jr. et al. (4,095,115) in view of either Zimek et al. (5,397,444) or Crosbie (6,165,423). Orr, Jr. et al. shows two cylinders connected to one another, unlike the present invention. Zimek et al. and Crosbie do not show a rectangular sheet fitted within the top slot of a cylinder, as in the present invention. In the present invention, a rectangular sheet is disposed above a cylinder, and the support stresses and demands are different than a cylinder upon a cylinder. Thus, claim 1 has been amended to read that there is “a series of bracing members attached to the exterior of said main hollow body so as to support and prevent damage to said photoreactor plate.” Moreover, in the present invention, part of the rectangular sheet fits within a slotted opening atop the cylinder. Thus, claim 1 has been amended to read that there is a “rectangular photoreactor plate placed in communication with said first end” (the first end is the top of the cylinder).

Further, claim 1 has been amended to read that there is "a generally rectangular slotted opening in fixed communication with said first end to receive said rectangular photoreactor plate."

Claim 1 was also rejected under 35 USC 103 (a) as being unpatentable over Salama (6,180,014) in view of either Orr '115 or Zimek '444. Salama does not show a rectangular plate sitting within generally rectangular slots atop of cylinder. Neither Orr nor Zimek, as aforementioned, assist in suggesting or teaching or motivating one skilled in the art to use a bracket capable of holding a rectangular plate within a generally rectangular slot atop a cylindrical tube to support and prevent damage to the rectangular plate, as claim 1 now reads, as amended.

New claims 2-6 have been entered. Claims 2-5 depend from newly amended claim 1, whereas claim 6 is independent, and includes information about the physical structure of the braces, as per the specification text and/or figures.

Applicant believes that the claims are now in condition for allowance.

A petition for a one month extension of time is hereby made, and authorization to charge deposit account number 500356 is hereby given.

Please call the attorney of record, Michael L. Greenberg, at 301-588-8393 should you have any questions or before the necessity of issuing another rejection.

Sincerely,

Michael L. Greenberg, Esq.

Reg. No. 47312

*Certificate of
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*I hereby certify
that this was mailed
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Michael Greenberg*

MARKED UP CLAIMS

1. (amended) A tubing member for use with waste water management, comprising:
 - a main hollow body, having a first and second ends;
 - a rectangular photoreactor plate placed in communication with said first end;
 - a series of bracing members attached to the exterior of said main hollow body so as to support and prevent damage to said photoreactor plate;
 - a generally rectangular slotted opening in fixed communication with said first end to receive said rectangular photoreactor plate;
 - and
 - a series of tubing communicating with said second end of said main body.
2. (new) A tubing member, as in claim 1, wherein waste water communicates with said main hollow body through said series of tubing.
3. (new) A tubing member as in claim 2, wherein said waste water has been infused with a photocatalyst.
4. (new) A tubing member as in claim 3, wherein said photocatalyst is titanium dioxide.

5. (new) A tubing member as in claim 1, wherein waste water is neutralized by use of said photoreactor plate and a photocatalyst.
6. (new) A tubing member for use with waste water management, comprising:
- a main hollow body, having a first and second end, and communicating with waste water;
- a photoreactor plate placed in communication with said first end,
- a series of bracing members attached to the exterior of said main hollow body, said series of bracing members having curved bottoms and vertical upper portions;
- a photocatalyst, in said waste water, communicating with said photoreactor plate;
- a slotted opening in fixed communication with said first end; and
- a series of tubing communicating with said second end of said main body.